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11 Attorneys for Plaintiff

LEVITON MANUFACTURING CO., INC.

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14  
15 LEVITON MANUFACTURING CO., INC., a Delaware corporation,

16

17 Plaintiff,

18 v.

19 FUJIAN HONGAN ELECTRIC CO., LTD., a

20 People's Republic of China corporation;

21 GENERAL PROTECHT GROUP, INC., a

People's Republic of China corporation;

22 SHANGHAI ELE MANUFACTURING

CORPORATION, a People's Republic of China

23 corporation; ZHEJIANG TRIMONE CO. LTD.,

a People's Republic of China corporation;

24 ZHEJIANG EASTING HOUSE ELECTRIC

CO., a People's Republic of China corporation;

25 MENARD, INC., a Wisconsin corporation;

26 GARVIN INDUSTRIES, INC., an Illinois

corporation; CENTRAL PURCHASING, LLC, a

27 California limited liability company; HARBOR

FREIGHT TOOLS USA, INC., a Delaware

28 corporation; WAREHOUSE-LIGHTING.COM

LLC, a Wisconsin limited liability company;

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San Jose

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ADR

CV 10-03961

LEVITON MANUFACTURING CO.,  
INC.'S COMPLAINT FOR PATENT  
INFRINGEMENT AND TRADE  
SECRET MISAPPROPRIATION

JURY TRIAL DEMANDED

1 SECURELECTRIC CORPORATION, a  
2 Missouri corporation; G-TECHT GLOBAL  
3 CORPORATION, a Georgia corporation;  
4 MURRAY LIGHTING CO., INC., D/B/A  
5 MURRAY LIGHTING & ELECTRICAL  
6 SUPPLY CO., a Michigan corporation;  
7 ELECTRICAL MARKETPLACE, INC., a  
8 Florida corporation; C & S SALES LLC, D/B/A  
9 KK LITE.COM LLC, a Hawaii limited liability  
10 company; FRONTIER LIGHTING, INC., a  
11 Florida corporation; THE DESIGNERS EDGE,  
12 INC., a Washington corporation; ORBIT  
13 INDUSTRIES, INC., a California corporation;  
14 READY WHOLESALE ELECTRIC &  
15 LIGHTING, INC. D/B/A READY  
16 WHOLESALE ELECTRIC SUPPLY, a  
17 California corporation; W.E. AUBUCHON CO.,  
18 INC., D/B/A AUBUCHON HARDWARE, a  
19 Massachusetts corporation; WESTSIDE  
20 WHOLESALE ELECTRIC & LIGHTING, INC.,  
21 a California corporation; WESTSIDE  
22 ELECTRIC WHOLESALE, INC., a California  
23 corporation; WESTSIDE WHOLESALE, INC., a  
24 California corporation; DEERSO, INC., a Florida  
25 corporation; NEW ASPEN DEVICES CORP., a  
New York corporation; BIG DEAL ELECTRIC  
CORP., a California corporation; AMERICAN  
ACE SUPPLY INC., a California corporation;  
SAFETY PLUS PRODUCTS, INC., a Wisconsin  
corporation; U.S.A. ISOCANAL, INC., D/B/A  
LAMPS ONE and AH LIGHTING, a California  
corporation; INGRAM PRODUCTS, INC., a  
Florida corporation; AMERICAN ELECTRIC  
DEPOT INC., a New York corporation;  
CONTRACTOR LIGHTING & SUPPLY, INC.,  
an Ohio corporation; INTERLINE BRANDS,  
INC., D/B/A AF LIGHTING, a New Jersey  
corporation; HARDWARE AND TOOLS  
CORP., a Delaware corporation; COST LESS  
LIGHTING, INC., a Illinois corporation;  
ROYAL PACIFIC LTD., a New Mexico  
corporation; and LITTMAN BROS. ENERGY  
SUPPLIES, INC., an Illinois corporation,

26 Defendants.

1 Plaintiff LEVITON MANUFACTURING CO., INC. ("Leviton" or "Plaintiff"), for its  
2 Complaint, alleges as follows:

3 **THE PARTIES**

4 1. Leviton is incorporated under the laws of the State of Delaware, with its principal  
5 executive office at 201 North Service Road, Melville, New York 11747.

6 2. Upon information and belief, Fujian Hongan Electric Co., Ltd. formerly named,  
7 Wenzhou Sansheng Electrical Co., Ltd. (collectively "Fujian Hongan"), is a corporation organized  
8 under the laws of the People's Republic of China, having a place of business at Yantian Industrial  
9 Zone, Xiapu, Fujian, 355106 China. Upon information and belief, Fujian Hongan purposely  
10 directs ground fault circuit interrupters into the United States through intermediaries and/or  
11 established distribution channels for sale or resale throughout the United States, including the  
12 Northern District of California.

13 3. Upon information and belief, General Protecht Group Inc. ("General Protecht") is a  
14 corporation organized under the laws of the People's Republic of China, having a place of business  
15 at 222 WeiQi Road, Yueqing Economic Development Zone, Yueqing, Zhejiang 325600 China  
16 and/or 555 Daxing Road West, Liushi Yueqing, Zhejiang 325604 China. Upon information and  
17 belief, General Protecht purposely directs ground fault circuit interrupters into the United States  
18 through intermediaries and/or established distribution channels for sale or resale throughout the  
19 United States, including the Northern District of California.

20 4. Upon information and belief, Shanghai ELE Manufacturing Corporation ("Shanghai  
21 ELE") is a corporation organized under the laws of the People's Republic of China, having a place  
22 of business at SEC 2 Xingcheng Industrial Zone, Qingpu, Shanghai 201703 China. Upon  
23 information and belief, Shanghai ELE purposely directs ground fault circuit interrupters into the  
24 United States through intermediaries and/or established distribution channels for sale or resale  
25 throughout the United States, including the Northern District of California.

26 5. Upon information and belief, Zhejiang Trimone Co. Ltd. ("Zhejiang Trimone")  
27 (also or formerly known as Wenzhou Trimone) is a corporation organized under the laws of the  
28 People's Republic of China, having a place of business at West of Xinxing San Rd., South of Duli

1 Rd., Economic Development Zone, Pinghu, Zhejiang 314200 China. Upon information and belief,  
2 Zhejiang Trimone purposely directs ground fault circuit interrupters into the United States through  
3 intermediaries and/or established distribution channels for sale or resale throughout the United  
4 States, including the Northern District of California.

5 6. Upon information and belief, Zhejiang Easting House Electric Co. ("Zhejiang  
6 Easting House") is a corporation organized under the laws of the People's Republic of China,  
7 having a place of business at Yaozhuang Industrial Zone, Jiashan, Zhejiang 314100 China. Upon  
8 information and belief, Zhejiang Easting House purposely directs ground fault circuit interrupters  
9 into the United States through intermediaries and/or established distribution channels for sale or  
10 resale throughout the United States, including the Northern District of California.

11 7. Upon information and belief, Menard, Inc. ("Menard") is a corporation organized  
12 under the laws of the State of Wisconsin, having a place of business at 4777 Menard Drive, Eau  
13 Claire, Wisconsin 54703 and/or 5101 Menard Drive, Eau Claire, Wisconsin 54703. Upon  
14 information and belief, Menard imports, distributes, offers to sell, and/or sells ground fault circuit  
15 interrupters throughout the United States and in the Northern District of California, including, but  
16 not limited to, ground fault circuit interrupters that were manufactured by Fujian Hongan.

17 8. Upon information and belief, Garvin Industries, Inc. ("Garvin") is a corporation  
18 organized under the laws of the State of Illinois, having a place of business at 3700 Sandra Street,  
19 Franklin Park, Illinois 60131. Upon information and belief, Garvin imports, distributes, offers to  
20 sell, and/or sells ground fault circuit interrupters throughout the United States and in the Northern  
21 District of California, including, but not limited to, ground fault circuit interrupters that were  
22 manufactured by Fujian Hongan.

23 9. Upon information and belief, Central Purchasing, LLC ("Central Purchasing") is a  
24 limited liability company organized under the laws of the State of California, having a place of  
25 business at 3491 Mission Oaks Blvd., Camarillo, California 93011. Upon information and belief,  
26 Central Purchasing imports, distributes, offers to sell, and/or sells ground fault circuit interrupters  
27 throughout the United States and in the Northern District of California, including, but not limited  
28

1 to, ground fault circuit interrupters that were, on information and belief, manufactured by General  
2 Protecht.

3 10. Upon information and belief, Harbor Freight Tools USA, Inc. ("Harbor Freight") is  
4 a corporation organized under the laws of the State of Delaware, having a place of business at  
5 3491 Mission Oaks Blvd., Camarillo, California 93011. Upon information and belief, Harbor  
6 Freight imports, distributes, offers to sell, and/or sells ground fault circuit interrupters throughout  
7 the United States and in the Northern District of California, including, but not limited to, ground  
8 fault circuit interrupters that were, on information and belief, manufactured by General Protecht.

9 11. Upon information and belief, Warehouse-Lighting.com LLC ("Warehouse-  
10 Lighting") is a limited liability company organized under the laws of the State of Wisconsin,  
11 having a place of business at W144 S6305 College Ctr., Muskego, Wisconsin 53150. Upon  
12 information and belief, Warehouse-Lighting imports, distributes, offers to sell, and/or sells ground  
13 fault circuit interrupters throughout the United States and in the Northern District of California,  
14 including, but not limited to, ground fault circuit interrupters that were manufactured by General  
15 Protecht.

16 12. Upon information and belief, SecurElectric Corporation ("SecurElectric") is a  
17 corporation organized under the laws of the State of Missouri, having places of business at 2071  
18 Congressional Drive, St. Louis, Missouri 63146 and/or 560 Wharton Circle, Suite B-1, Atlanta,  
19 Georgia 30336. Upon information and belief, SecurElectric imports, distributes, offers to sell,  
20 and/or sells ground fault circuit interrupters throughout the United States and in the Northern  
21 District of California, including, but not limited to, ground fault circuit interrupters that were  
22 manufactured by General Protecht.

23 13. Upon information and belief, G-Techt Global Corporation ("G-Techt") is a  
24 corporation organized under the laws of the State of Georgia, having places of business at 560  
25 Wharton Circle, Suite B-1, Atlanta, Georgia 30336 and/or 200 Galleria Parkway SE, Suite 1275,  
26 Atlanta, GA 30339. Upon information and belief, G-Techt imports, distributes, offers to sell,  
27 and/or sells ground fault circuit interrupters throughout the United States and in the Northern  
28

1 District of California, including, but not limited to, ground fault circuit interrupters that were  
2 manufactured by General Protecht.

3 14. Upon information and belief, Murray Lighting Co. Inc., d/b/a Murray Lighting &  
4 Electrical Supply Co. (collectively "Murray") is a corporation organized under the laws of the  
5 State of Michigan, having a place of business at 10227 West 8 Mile Road, Detroit, Michigan  
6 48221. Upon information and belief, Murray imports, distributes, offers to sell, and/or sells  
7 ground fault circuit interrupters throughout the United States and in the Northern District of  
8 California, including, but not limited to, ground fault circuit interrupters that were manufactured  
9 by General Protecht.

10 15. Upon information and belief, Electrical Marketplace, Inc. ("Electrical  
11 Marketplace") is a corporation organized under the laws of the State of Florida, having a place of  
12 business at 2411 NW 16th Lane #3, Pompano Beach, Florida 33064. Upon information and belief,  
13 Electrical Marketplace imports, distributes, offers to sell, and/or sells ground fault circuit  
14 interrupters throughout the United States and in the Northern District of California, including, but  
15 not limited to, ground fault circuit interrupters that were manufactured by General Protecht.

16 16. Upon information and belief, C & S Sales LLC, d/b/a Kk Lite.Com LLC  
17 (collectively "Kk Lite") is a limited liability company organized under the laws of the State of  
18 Hawaii, having a place of business at 23669 Eichler St. #4, Hayward, California 94545. Upon  
19 information and belief, Kk Lite imports, distributes, offers to sell, and/or sells ground fault circuit  
20 interrupters throughout the United States and in the Northern District of California, including, but  
21 not limited to, ground fault circuit interrupters that were manufactured by General Protecht.

22 17. Upon information and belief, Frontier Lighting, Inc. ("Frontier") is a corporation  
23 organized under the laws of the State of Florida, having a place of business at 2090 Palmetto  
24 Street, Clearwater, Florida 33765. Upon information and belief, Frontier imports, distributes,  
25 offers to sell, and/or sells ground fault circuit interrupters throughout the United States and in the  
26 Northern District of California, including, but not limited to, ground fault circuit interrupters that  
27 were manufactured by General Protecht.



1           18.     Upon information and belief, The Designers Edge, Inc. ("Designers Edge") is a  
2 corporation organized under the laws of the State of Washington, having a place of business at  
3 11730 N.E. 12th Street, Bellevue, Washington 98005. Upon information and belief, Designers  
4 Edge imports, distributes, offers to sell, and/or sells ground fault circuit interrupters throughout the  
5 United States and in the Northern District of California, including, but not limited to, ground fault  
6 circuit interrupters that were manufactured by Zhejiang Trimone.

7           19.     Upon information and belief, Orbit Industries, Inc. ("Orbit") is a corporation  
8 organized under the laws of the State of California, having a place of business at 2100 S. Figueroa  
9 St., Los Angeles, California 90007. Upon information and belief, Orbit imports, distributes, offers  
10 to sell, and/or sells ground fault circuit interrupters throughout the United States and in the  
11 Northern District of California, including, but not limited to, ground fault circuit interrupters that,  
12 on information and belief, were manufactured by Shanghai ELE.

13           20.     Upon information and belief, Ready Wholesale Electric and Lighting, Inc., d/b/a  
14 Ready Wholesale Electric Supply (collectively "Ready Wholesale"), is a corporation organized  
15 under the laws of the State of California, having a place of business at 18315 Sherman Way,  
16 Reseda, California 91335. Upon information and belief, Ready Wholesale imports, distributes,  
17 offers to sell, and/or sells ground fault circuit interrupters throughout the United States and in the  
18 Northern District of California, including, but not limited to, ground fault circuit interrupters that,  
19 on information and belief, were manufactured by Shanghai ELE.

20           21.     Upon information and belief, W. E. Aubuchon Co., Inc., d/b/a Aubuchon Hardware  
21 (collectively "Aubuchon"), is a corporation organized under the laws of the State of  
22 Massachusetts, having a place of business at 95 Aubuchon Drive, Westminister, Massachusetts  
23 01473. Upon information and belief, Aubuchon imports, distributes, offers to sell, and/or sells  
24 ground fault circuit interrupters throughout the United States and in the Northern District of  
25 California, including, but not limited to, ground fault circuit interrupters that were manufactured  
26 by Shanghai ELE and/or by or on behalf of American Electric.

27           22.     Upon information and belief, Westside Wholesale Electric & Lighting, Inc.,  
28 Westside Electric Wholesale, Inc. and Westside Wholesale, Inc. (collectively "Westside") are

1 corporations organized under the laws of the State of California, having a place of business at 7122  
2 Beverly Blvd. #A, Los Angeles, California 90036 and/or 5670 Rickenbacker Rd., Bell, California  
3 90201. Upon information and belief, Westside imports, distributes, offers to sell, and/or sells  
4 ground fault circuit interrupters throughout the United States and in the Northern District of  
5 California, including, but not limited to, ground fault circuit interrupters that were manufactured  
6 by Zhejiang Trimone.

7 23. Upon information and belief, Deerso, Inc. ("Deerso") is a corporation organized  
8 under the laws of the State of Florida, having a place of business at 910 S.E. 14th Place, Cape  
9 Coral, Florida 33990. Upon information and belief, Deerso imports, distributes, offers to sell,  
10 and/or sells ground fault circuit interrupters throughout the United States and in the Northern  
11 District of California, including, but not limited to, ground fault circuit interrupters that were  
12 manufactured by Zhejiang Trimone.

13 24. Upon information and belief, New Aspen Devices Corp. ("New Aspen") is a  
14 corporation organized under the laws of the State of New York, having a place of business at 59  
15 Van Dam St., Brooklyn, New York 11222. Upon information and belief, New Aspen imports,  
16 distributes, offers to sell, and/or sells ground fault circuit interrupters throughout the United States  
17 and in the Northern District of California, including, but not limited to, ground fault circuit  
18 interrupters that were manufactured by Zhejiang Trimone.

19 25. Upon information and belief, Big Deal Electric Corp. ("Big Deal") is a corporation  
20 organized under the laws of the State of California, having a place of business at 1208 E. Walnut  
21 Ave., Suite G, Santa Ana, California 92701. Upon information and belief, Big Deal imports,  
22 distributes, offers to sell, and/or sells ground fault circuit interrupters throughout the United States  
23 and in the Northern District of California, including, but not limited to, ground fault circuit  
24 interrupters that were manufactured by Zhejiang Trimone.

25 26. Upon information and belief, American Ace Supply Inc. ("American Ace") is a  
26 corporation organized under the laws of the State of California, having a place of business at 923  
27 Toland Street, San Francisco, California 94124. Upon information and belief, American Ace  
28 imports, distributes, offers to sell, and/or sells ground fault circuit interrupters throughout the



1 United States and in the Northern District of California, including, but not limited to, ground fault  
2 circuit interrupters that, on information and belief, were manufactured by Zhejiang Trimone.

3 27. Upon information and belief, Safety Plus ("Safety Plus") is a corporation organized  
4 under the laws of the State of Wisconsin, having a place of business at 4123 Terminal Dr., Suite  
5 210, McFarland, Wisconsin 53558. Upon information and belief, Safety Plus imports, distributes,  
6 offers to sell, and/or sells ground fault circuit interrupters throughout the United States and in the  
7 Northern District of California, including, but not limited to, ground fault circuit interrupters that  
8 were manufactured by Zhejiang Trimone.

9 28. Upon information and belief, U.S.A. Isocanal, Inc., d/b/a Lamps One and AH  
10 Lighting (collectively "Lamps One") is a corporation organized under the laws of the State of  
11 California, having a place of business at 2442 Hunter St., Los Angeles, California 90021. Upon  
12 information and belief, Lamps One imports, distributes, offers to sell, and/or sells ground fault  
13 circuit interrupters throughout the United States and in the Northern District of California,  
14 including, but not limited to, ground fault circuit interrupters that were manufactured by Zhejiang  
15 Trimone.

16 29. Upon information and belief, Ingram Products, Inc. ("Ingram") is a corporation  
17 organized under the laws of the State of Florida, having a place of business at 8725 Youngerman  
18 Ct., Suite 206, Jacksonville, Florida 32244. Upon information and belief, Ingram imports,  
19 distributes, offers to sell, and/or sells ground fault circuit interrupters throughout the United States  
20 and in the Northern District of California, including, but not limited to, ground fault circuit  
21 interrupters that were manufactured by Zhejiang Easting House.

22 30. Upon information and belief, American Electric Depot Inc. ("American Electric") is  
23 a corporation organized under the laws of the State of New York, having a place of business at 56-  
24 24 199 St., 1FL, Fresh Meadows, NY 11365. Upon information and belief, American Electric  
25 imports, distributes, offers to sell, and/or sells ground fault circuit interrupters throughout the  
26 United States and in the Northern District of California, including, but not limited to, ground fault  
27 circuit interrupters that were manufactured in China by or on behalf of American Electric.  
28

1           31.     Upon information and belief, Contractor Lighting & Supply, Inc. ("Contractor  
2 Lighting") is a corporation organized under the laws of the State of Ohio, having a place of  
3 business at 250 East Broad St., Suite 200, Columbus, Ohio 43215. Upon information and belief,  
4 Contractor Lighting imports, distributes, offers to sell, and/or sells ground fault circuit interrupters  
5 throughout the United States and in the Northern District of California, including, but not limited  
6 to, ground fault circuit interrupters that were manufactured in China by or on behalf of American  
7 Electric.

8           32.     Upon information and belief, Interline Brands, Inc., d/b/a AF Lighting (collectively  
9 "AF Lighting") is a corporation organized under the laws of the State of New Jersey, having a  
10 place of business at 701 San Marco Blvd., Jacksonville, Florida 32207 and/or 3031 N. Andrews  
11 Ext., Pompano Beach, Florida 33069. Upon information and belief, AF Lighting imports,  
12 distributes, offers to sell, and/or sells ground fault circuit interrupters throughout the United States  
13 and in the Northern District of California, including, but not limited to, ground fault circuit  
14 interrupters that were manufactured in China by or on behalf of American Electric.

15           33.     Upon information and belief, Hardware and Tools Corp. ("Hardware and Tools") is  
16 a corporation organized under the laws of the State of Delaware, having a place of business at 490  
17 Mcghee Road, Winchester, Virginia 22603. Upon information and belief, Hardware and Tools  
18 imports, distributes, offers to sell, and/or sells ground fault circuit interrupters throughout the  
19 United States and in the Northern District of California, including, but not limited to, ground fault  
20 circuit interrupters that were manufactured in China by or on behalf of American Electric.

21           34.     Upon information and belief, Cost Less Lighting, Inc. ("Cost Less") is a corporation  
22 organized under the laws of the State of Illinois, having a place of business at 1200 Goldenrod  
23 Court, Morrisville, Pennsylvania 19067. Upon information and belief, Cost Less imports,  
24 distributes, offers to sell, and/or sells ground fault circuit interrupters throughout the United States  
25 and in the Northern District of California, including, but not limited to, ground fault circuit  
26 interrupters that were manufactured in China by or on behalf of American Electric.

27           35.     Upon information and belief, Royal Pacific Ltd. ("Royal Pacific") is a corporation  
28 organized under the laws of the State of New Mexico, having a place of business at 4931 Paseo

1 Del Norte NE, Albuquerque, New Mexico 87113. Upon information and belief, Royal Pacific  
2 imports, distributes, offers to sell, and/or sells ground fault circuit interrupters throughout the  
3 United States and in the Northern District of California, including, but not limited to, ground fault  
4 circuit interrupters that, on information and belief, were manufactured by Fujian Hongan.

5 36. Upon information and belief, Littman Bros. Energy Supplies, Inc. ("Littman  
6 Bros.") is a corporation organized under the laws of the State of Illinois, having a place of business  
7 at 900 Estes Court, Schaumburg, Illinois 60193. Upon information and belief, Littman Bros.  
8 imports, distributes, offers to sell, and/or sells ground fault circuit interrupters throughout the  
9 United States and in the Northern District of California, including, but not limited to, ground fault  
10 circuit interrupters that, on information and belief, were manufactured by Fujian Hongan.

#### 11 JURISDICTION AND VENUE

12 37. This is an action for patent infringement arising in part under the patent laws of the  
13 United States, codified at 35 U.S.C. § 1 *et seq.* This Court has subject matter jurisdiction over this  
14 action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

15 38. This court has supplemental jurisdiction of the state claims asserted in this action  
16 pursuant to 28 U.S.C. § 1367. The federal and state claims alleged herein are based on a common  
17 nucleus of operative facts. Judicial economy, convenience, and fairness to the parties will result if  
18 this Court assumes and exercises jurisdiction over the state claims.

19 39. Defendants are subject to personal jurisdiction in this judicial district because each  
20 Defendant's infringement occurred in and continues to occur in the Northern District of California.  
21 As described above, each Defendant imports, manufactures, sells and/or offers to sell in the United  
22 States and in the Northern District of California, directly or through intermediaries and/or  
23 established distribution channels ground fault circuit interrupters that infringe one or more of  
24 Leviton's patents. For example, Fujian Hongan, Menard and Garvin infringing ground fault circuit  
25 interrupters that bear the Underwriters Laboratories listing number E309131 were sold in the  
26 Northern District of California. General Protecht, Warehouse-Lighting, SecurElectric, G-Techt,  
27 Electrical Marketplace, and Kk Lite infringing ground fault circuit interrupters that bear the  
28 Underwriters Laboratories listing number E320934 were sold in the Northern District of

1 California. Central Purchasing, Harbor Freight and, on information and belief, General Protecht  
 2 infringing ground fault circuit interrupters that bear the Underwriters Laboratories listing number  
 3 E195819 were sold in the Northern District of California. Murray, Frontier and, on information  
 4 and belief, General Protecht infringing ground fault circuit interrupters that bear the Underwriters  
 5 Laboratories listing number E231858 were sold in the Northern District of California. Orbit,  
 6 Ready Wholesale and, on information and belief, Shanghai ELE infringing ground fault circuit  
 7 interrupters that bear the Underwriters Laboratories listing number E245404 were sold in the  
 8 Northern District of California. Zhejiang Trimone, Aubuchon, Westside, Deerso, New Aspen,  
 9 Designers Edge, Big Deal, American Ace, Safety Plus and Lamps One infringing ground fault  
 10 circuit interrupters that bear the Underwriters Laboratories listing number E229322 were sold in  
 11 the Northern District of California. Zhejiang Easting House and Ingram infringing ground fault  
 12 circuit interrupters that bear the Underwriters Laboratories listing number E253345 were sold in  
 13 the Northern District of California. American Electric, Contractor Lighting, Aubuchon, AF  
 14 Lighting, Hardware and Tools and Cost Less infringing ground fault circuit interrupters that bear  
 15 the Underwriters Laboratories listing number E325953 were sold in the Northern District of  
 16 California. Royal Pacific, Littman Bros. and, on information and belief, Fujian Hongan infringing  
 17 ground fault circuit interrupters that bear the Underwriters Laboratories listing number E244994  
 18 were sold in the Northern District of California. Leviton is further informed and believes, and on  
 19 that basis alleges, that the accused products have been advertised, marketed, offered for sale and/or  
 20 sold in this judicial district and/or imported into this judicial district by Defendants.

21 40. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b) and (c) and  
 22 28 U.S.C. § 1400(b).

### 23 **INTRADISTRICT ASSIGNMENT**

24 41. This is an intellectual property action exempt from intradistrict assignment under  
 25 Civil Local Rule 3-2(c), which makes this action subject to assignment on a district-wide basis.

### 26 **FACTUAL BACKGROUND**

27 42. Leviton is a leading United States producer of electrical and electronic products,  
 28 and is the largest North American manufacturer of electrical and electronic wiring devices.

1 Leviton is a third generation, family-owned business, founded in 1906 in a small shop in New  
2 York at the dawn of the electrical era.

3 43. Over the last 100 plus years, Leviton has grown to become the preeminent leader in  
4 its industry. Today, Leviton's product portfolio includes over 25,000 devices and systems used in  
5 homes, businesses and industry. The vast majority of homes across North America use one or  
6 more Leviton devices. Builders, electrical contractors, homeowners, specifiers, architects and  
7 engineers rank Leviton products number one in brand preference. And, Leviton patents  
8 consistently rate as having significant technological value and impact on other companies in the  
9 industry.

10 44. In the last 50 years, Leviton has set industry standards for product design,  
11 innovation and safety, including innovations that are now required by the National Electrical Code.  
12 Leviton currently holds over 870 active patents worldwide, and its brands and products are known  
13 throughout the world.

14 45. One of Leviton's most significant lines of electrical safety products are its Ground  
15 Fault Circuit Interrupter devices ("GFCIs"). Leviton introduced this line in 1972. A GFCI  
16 protects people from electrical shock and GFCIs can be found in virtually every home and building  
17 in the United States. GFCIs have saved countless lives.

18 46. Through its focus on innovation and developing cutting-edge technological  
19 solutions to problems that have arisen with GFCIs, Leviton has established itself as a technology  
20 leader and innovator for GFCI products. Indeed, Leviton has obtained numerous patents related to  
21 its innovation in GFCI products.

22 47. Leviton protects its intellectual property through prosecution and acquisition of  
23 industry-leading patents. Leviton devoted substantial resources to compilation of its patent  
24 portfolio to protect its investment in its technology.

25 48. In addition, from its founding, Leviton has developed proprietary technical and  
26 business strategies related to its GFCI products and its other electrical products through the  
27 expenditure of considerable employee work hours and company resources. Through the  
28 expenditure of considerable employee work hours and company resources over many years,

1 Leviton has also compiled proprietary product development strategies, product branding strategies,  
2 product packaging strategies, product improvement strategies and plans, product marketing  
3 strategies and strategies with respect to industry organizations. Leviton strictly maintains the  
4 secrecy of its proprietary information, taking numerous precautions to ensure this information  
5 remains secret and is disseminated only to people within the company on a need-to-know basis,  
6 and outside the company only to particular customers under strict confidentiality provisions.

7 49. Through the expenditure of considerable employee work hours and company  
8 resources over many years, Leviton has also compiled confidential and proprietary information  
9 regarding its customer pricing (i.e., the prices at which Leviton sells products to its customers).  
10 Through the painstaking efforts of its employees, Leviton has methodically compiled information  
11 from direct contacts with customers and other industry participants as well as Leviton's own  
12 internal confidential and proprietary information to arrive at its confidential and proprietary  
13 customer pricing. Leviton strictly maintains the secrecy of its customer pricing, taking numerous  
14 precautions to ensure this information is disseminated within the company only on a need-to-know  
15 basis, and outside the company only to particular customers under strict confidentiality provisions.

16 50. As described above, Defendant General Protecht manufactures GFCIs and other  
17 electrical products that compete with Leviton's GFCI and electrical products. On information and  
18 belief, seeking to diminish Leviton's lead and market share in the industry, General Protecht  
19 sought out proprietary and confidential trade secrets of Leviton. Leviton is informed and believes,  
20 and on that basis alleges, that General Protecht sought these trade secrets to improperly gain a  
21 competitive advantage over Leviton in the marketplace.

22 51. Leviton gave one of its customers of Leviton GFCIs and other electrical products a  
23 written presentation under strict confidentiality provisions. The presentation was marked  
24 "CONFIDENTIAL. Proprietary Information of The Leviton Manufacturing Company"  
25 (hereinafter "Presentation"). The Presentation contained Leviton's confidential and proprietary  
26 strategies for product development, branding, product improvements, new product features and  
27 product marketing. The Presentation also contained Leviton's confidential and proprietary  
28 information regarding Leviton's contracts with certain U.S. builders, Leviton's strategy with



1 respect to industry organizations, and details regarding Leviton's manufacturing. This same  
2 customer was also given Leviton's confidential and proprietary customer pricing for hundreds of  
3 Leviton products under strict confidentiality provisions. On information and belief, a senior  
4 employee of this customer (hereinafter "Leviton's Customer Employee") was granted access to  
5 this confidential and proprietary Leviton Presentation and customer pricing during his employment  
6 with Leviton's customer to facilitate the performance of his work-related duties with respect to  
7 Leviton.

8 52. Leviton is informed and believes, and on that basis alleges that in 2008:

9 a. General Protecht solicited and attempted to induce Leviton's Customer  
10 Employee to wrongfully disclose Leviton's confidential and proprietary customer pricing  
11 information to General Protecht without authorization from Leviton;

12 b. General Protecht solicited and did induce Leviton's Customer Employee to  
13 wrongfully disclose Leviton's confidential and proprietary Presentation and customer pricing to  
14 General Protecht without authorization from Leviton; and

15 c. General Protecht wrongfully copied and retained copies of Leviton's  
16 confidential and proprietary Presentation without authorization from Leviton.

17 53. Leviton is informed and believes, and on that basis alleges that General Protecht's  
18 wrongful acts occurred in Georgia.

19 54. Leviton is informed and believes, and on that basis alleges that in 2008 when  
20 General Protecht solicited and obtained Leviton's customer pricing information and solicited,  
21 obtained and copied Leviton's Presentation, General Protecht knew that Leviton's Customer  
22 Employee was not authorized to disclose Leviton's customer pricing information and/or Leviton's  
23 Presentation. Leviton is informed and believes, and on that basis alleges that General Protecht also  
24 knew that Leviton's Customer Employee owed a duty to Leviton to maintain the confidentiality  
25 and secrecy of Leviton's customer pricing information and Presentation.

26 55. Leviton is informed and believes, and on that basis alleges that General Protecht has  
27 misused Leviton's wrongfully obtained proprietary information to divert business from Leviton to  
28 General Protecht. Pricing is a key area of competition between competitor manufacturers in the

1 industry. Customer pricing is confidential and proprietary. Industry competitors also compete on  
 2 product features, innovations and development. Thus, a competitor who wrongfully learns of  
 3 Leviton's customer pricing and product strategy can price its products to steal customers and sales  
 4 away from Leviton and use Leviton's product strategy to also steal customers and sales. Leviton is  
 5 informed and believes, and on that basis alleges that General Protecht has misused the information  
 6 in Leviton's Presentation and customer pricing to steal customers and sales away from Leviton.  
 7 Accordingly, the improper diversion of customers and business from Leviton to General Protecht  
 8 through misuse of Leviton's proprietary and confidential information represents a significant harm  
 9 to Leviton.

10 56. Contemporaneous with the filing of this Complaint, Leviton filed a Complaint at the  
 11 U.S. International Trade Commission under Section 337 of the Tariff Act of 1930 against  
 12 Defendants Fujian Hongan, General Protecht, Shanghai ELE, Zhejiang Trimone, Zhejiang Easting  
 13 House, Menard, Garvin, Central Purchasing, Harbor Freight, Warehouse-Lighting, SecurElectric,  
 14 G-Techt, Frontier, Designers Edge, Orbit, Ready Wholesale, Aubuchon, Westside, Deerso, New  
 15 Aspen, American Ace, Safety Plus, Ingram, American Electric, Contractor Lighting, AF Lighting,  
 16 Royal Pacific, and Littman Bros. alleging infringement of one or more of the patents that are the  
 17 subject of this Complaint.

### 18 **FIRST CAUSE OF ACTION**

#### 19 **(Infringement of U.S. Patent No. 7,463,124 Against All Defendants)**

20 57. Leviton adopts and incorporates by reference the allegations of paragraphs 1  
 21 through 56 above as if fully set forth herein.

22 58. On December 9, 2008, the United States Patent and Trademark Office ("USPTO")  
 23 duly, properly and legally issued U.S. Patent No. 7,463,124 ("the '124 patent"), entitled "Circuit  
 24 Interrupting Device with Reverse Wiring Protection" to Leviton Manufacturing Co., Inc. as the  
 25 assignee of inventors Nicholas L. Di Salvo and William R. Ziegler. The '124 patent is attached  
 26 hereto as Exhibit A.

27 59. Leviton is the owner by assignment of all rights, title and interest in the '124 patent.  
 28

60. Leviton is informed and believes and on that basis alleges that, in violation of 35 U.S.C. § 271, each of the following Defendants has infringed directly, indirectly, contributorily and/or by inducement, the '124 patent by making, using, offering to sell, and/or selling within the United States and/or importing into the United States GFCI products that embody the patented invention. By way of example and without limiting the foregoing, Defendants infringe at least claim 13 of the '124 patent by making, using, offering to sell, and/or selling within the United States and/or importing into the United States at least the following:

a. GFCIs bearing or associated with Underwriters Laboratories listing number E309131 made, used, offered for sale, and/or sold in the United States and/or imported into the United States by Defendants Fujian Hongan, Menard and Garvin;

b. GFCIs bearing or associated with Underwriters Laboratories listing number E320934 made, used, offered for sale, and/or sold in the United States and/or imported into the United States by Defendants General Protecht, Warehouse-Lighting, SecurElectric, G-Techt, Electrical Marketplace, and Kk Lite;

c. GFCIs bearing or associated with Underwriters Laboratories listing number E195819 made, used, offered for sale, and/or sold in the United States and/or imported into the United States by Defendants Central Purchasing, Harbor Freight and, on information and belief, General Protecht;

d. GFCIs bearing or associated with Underwriters Laboratories listing number E231858 made, used, offered for sale, and/or sold in the United States and/or imported into the United States by Defendants Murray, Frontier and, on information and belief, General Protecht;

e. GFCIs bearing or associated with Underwriters Laboratories listing number E243387 made, used, offered for sale, and/or sold in the United States and/or imported into the United States by Defendants Shanghai ELE and Designers Edge;

f. GFCIs bearing or associated with Underwriters Laboratories listing number E245404 made, used, offered for sale, and/or sold in the United States and/or imported into the United States by Defendants Orbit, Ready Wholesale and, on information and belief, Shanghai ELE;

1 g. GFCIs bearing or associated with Underwriters Laboratories listing number  
2 E229322 made, used, offered for sale, and/or sold in the United States and/or imported into the  
3 United States by Defendants Zhejiang Trimone, Aubuchon, Westside, Deerso, New Aspen,  
4 Designers Edge, Big Deal, American Ace, Safety Plus and Lamps One;

5 h. GFCIs bearing or associated with Underwriters Laboratories listing number  
6 E253345 made, used, offered for sale, and/or sold in the United States and/or imported into the  
7 United States by Defendants Zhejiang Easting House and Ingram;

8 i. GFCIs bearing or associated with Underwriters Laboratories listing number  
9 E325953 made, used, offered for sale, and/or sold in the United States and/or imported into the  
10 United States by Defendants American Electric, Contractor Lighting, Aubuchon, AF Lighting,  
11 Hardware and Tools and Cost Less; and

12 j. GFCIs bearing or associated with Underwriters Laboratories listing number  
13 E244994 made, used, offered for sale, and/or sold in the United States and/or imported into the  
14 United States by Defendants Royal Pacific, Littman Bros. and, on information and belief, Fujian  
15 Hongan.

16 k. GFCIs bearing or associated with ETL listing number 4000074 made, used,  
17 offered for sale, and/or sold in the United States and/or imported into the United States by  
18 Defendants Royal Pacific and, on information and belief, Fujian Hongan.

19 61. As a result of Defendants' acts of infringement, Leviton has suffered and will  
20 continue to suffer damages in an amount to be proven at trial.

21 62. On information and belief, Defendants will continue to infringe the '124 patent, and  
22 Leviton will be substantially and irreparably harmed as a result thereof, unless Defendants'  
23 infringement is enjoined by this Court.

**SECOND CAUSE OF ACTION**

**(Infringement of U.S. Patent No. 7,737,809 Against Defendants Fujian Hongan, Menard, Garvin, Zhejiang Trimone, Westside, Aubuchon, Deerso, New Aspen, Designers Edge, Big Deal, American Ace, Safety Plus, Lamps One, Shanghai ELE, Orbit, Ready Wholesale, Zhejiang Easting House, Ingram, American Electric, Contractor Lighting, AF Lighting, Hardware and Tools, Cost Less, Royal Pacific and Littman Bros.)**

63. Leviton adopts and incorporates by reference the allegations of paragraphs 1 through 62 above as if fully set forth herein.

64. On June 15, 2010, the USPTO duly, properly and legally issued U.S. Patent No. 7,737,809 ("the '809 patent"), entitled "Circuit Interrupting Device and System Utilizing Bridge Contact Mechanism and Reset Lockout" to Leviton Manufacturing Co., Inc. as the assignee of inventors Frantz Germain, James Richter, David Herzfeld, Armando Calixto, David Chan and Stephen Stewart. The '809 patent is attached hereto as Exhibit B.

65. Leviton is the owner by assignment of all rights, title and interest in the '809 patent.

66. Leviton is informed and believes and on that basis alleges that, in violation of 35 U.S.C. § 271, each of the following Defendants has infringed directly, indirectly, contributorily and/or by inducement, the '809 patent by making, using, offering to sell, and/or selling within the United States and/or importing into the United States GFCI products that embody the patented invention. By way of example and without limiting the foregoing, the following Defendants infringe at least claim 1 of the '809 patent by making, using, offering to sell, and/or selling within the United States and/or importing into the United States at least the following:

a. GFCIs bearing or associated with Underwriters Laboratories listing number E309131 made, used, offered for sale, and/or sold in the United States and/or imported into the United States by Defendants Fujian Hongan, Menard and Garvin;

b. GFCIs bearing or associated with Underwriters Laboratories listing number E229322 made, used, offered for sale, and/or sold in the United States and/or imported into the United States by Defendants Zhejiang Trimone, Aubuchon, Westside, Deerso, New Aspen, Designers Edge, Big Deal, American Ace, Safety Plus and Lamps One;

1 c. GFCIs bearing or associated with Underwriters Laboratories listing number  
2 E243387 made, used, offered for sale, and/or sold in the United States and/or imported into the  
3 United States by Defendants Shanghai ELE and Designers Edge;

4 d. GFCIs bearing or associated with Underwriters Laboratories listing number  
5 E245404 made, used, offered for sale, and/or sold in the United States and/or imported into the  
6 United States by Defendants Orbit, Ready Wholesale and, on information and belief, Shanghai  
7 ELE;

8 e. GFCIs bearing or associated with Underwriters Laboratories listing number  
9 E253345 made, used, offered for sale, and/or sold in the United States and/or imported into the  
10 United States by Defendants Zhejiang Easting House and Ingram;

11 f. GFCIs bearing or associated with Underwriters Laboratories listing number  
12 E325953 made, used, offered for sale, and/or sold in the United States and/or imported into the  
13 United States by Defendants American Electric, Contractor Lighting, Aubuchon, AF Lighting,  
14 Hardware and Tools and Cost Less; and

15 g. GFCIs bearing or associated with Underwriters Laboratories listing number  
16 E244994 made, used, offered for sale, and/or sold in the United States and/or imported into the  
17 United States by Defendants Royal Pacific, Littman Bros. and, on information and belief, Fujian  
18 Hongan.

19 h. GFCIs bearing or associated with ETL listing number 4000074 made, used,  
20 offered for sale, and/or sold in the United States and/or imported into the United States by  
21 Defendants Royal Pacific and, on information and belief, Fujian Hongan.

22 67. As a result of Defendants' acts of infringement, Leviton has suffered and will  
23 continue to suffer damages in an amount to be proven at trial.

24 68. On information and belief, Defendants will continue to infringe the '809 patent, and  
25 Leviton will be substantially and irreparably harmed as a result thereof, unless Defendants'  
26 infringement is enjoined by this Court.



### THIRD CAUSE OF ACTION

**(Infringement of U.S. Patent No. 7,764,151 Against Defendants Fujian Hongan, Menard, Garvin, General Protecht, Central Purchasing, Harbor Freight, Warehouse-Lighting, SecurElectric, G-Techt, Murray, Electrical Marketplace, KK Lite, Frontier, Zhejiang Trimone, Westside, Aubuchon, Deerso, New Aspen, Designers Edge, Big Deal, American Ace, Safety Plus, Lamps One, Shanghai ELE, Orbit, Ready Wholesale, Zhejiang Easting House, Ingram, Royal Pacific and Littman Bros.)**

69. Leviton adopts and incorporates by reference the allegations of paragraphs 1 through 68 above as if fully set forth herein.

70. On July 27, 2010, the USPTO duly, properly and legally issued U.S. Patent No. 7,764,151 ("the '151 patent"), entitled "Circuit Interrupting Device with Reverse Wiring Protection" to Leviton Manufacturing Co., Ltd. as the assignee of inventors Nicholas L. Di Salvo and William R. Ziegler. The '151 patent is attached hereto as Exhibit C.

71. Leviton is the owner by assignment of all rights, title and interest in the '151 patent.

72. Leviton is informed and believes and on that basis alleges that, in violation of 35 U.S.C. § 271, each of the following Defendants has infringed directly, indirectly, contributorily and/or by inducement, the '151 patent by making, using, offering to sell, and/or selling within the United States and/or importing into the United States GFCI products that embody the patented invention. By way of example and without limiting the foregoing, the following Defendants infringe at least claim 8 of the '809 patent by making, using, offering to sell, and/or selling within the United States and/or importing into the United States at least the following:

a. GFCIs bearing or associated with Underwriters Laboratories listing number E309131 made, used, offered for sale, and/or sold in the United States and/or imported into the United States by Defendants Fujian Hongan, Menard and Garvin;

b. GFCIs bearing or associated with Underwriters Laboratories listing number E320934 made, used, offered for sale, and/or sold in the United States and/or imported into the United States by Defendants General Protecht, Warehouse-Lighting, SecurElectric, G-Techt, Electrical Marketplace, and Kk Lite;

c. GFCIs bearing or associated with Underwriters Laboratories listing number E195819 made, used, offered for sale, and/or sold in the United States and/or imported into the

1 United States by Defendants Central Purchasing, Harbor Freight and, on information and belief,  
2 General Protecht;

3 d. GFCIs bearing or associated with Underwriters Laboratories listing number  
4 E231858 made, used, offered for sale, and/or sold in the United States and/or imported into the  
5 United States by Defendants Murray, Frontier and, on information and belief, General Protecht;

6 e. GFCIs bearing or associated with Underwriters Laboratories listing number  
7 E229322 made, used, offered for sale, and/or sold in the United States and/or imported into the  
8 United States by Defendants Zhejiang Trimone, Aubuchon, Westside, Deerso, New Aspen,  
9 Designers Edge, Big Deal, American Ace, Safety Plus and Lamps One;

10 f. GFCIs bearing or associated with Underwriters Laboratories listing number  
11 E243387 made, used, offered for sale, and/or sold in the United States and/or imported into the  
12 United States by Defendant Shanghai ELE and Designers Edge;

13 g. GFCIs bearing or associated with Underwriters Laboratories listing number  
14 E245404 made, used, offered for sale, and/or sold in the United States and/or imported into the  
15 United States by Defendants Orbit, Ready Wholesale and, on information and belief, Shanghai  
16 ELE;

17 h. GFCIs bearing or associated with Underwriters Laboratories listing number  
18 E253345 made, used, offered for sale, and/or sold in the United States and/or imported into the  
19 United States by Defendants Zhejiang Easting House and Ingram; and

20 i. GFCIs bearing or associated with Underwriters Laboratories listing number  
21 E244994 made, used, offered for sale, and/or sold in the United States and/or imported into the  
22 United States by Defendants Royal Pacific, Littman Bros. and, on information and belief, Fujian  
23 Hongan.

24 j. GFCIs bearing or associated with ETL listing number 4000074 made, used,  
25 offered for sale, and/or sold in the United States and/or imported into the United States by  
26 Defendants Royal Pacific and, on information and belief, Fujian Hongan.

27 73. As a result of Defendants' acts of infringement, Leviton has suffered and will  
28 continue to suffer damages in an amount to be proven at trial.

74. On information and belief, Defendants will continue to infringe the '151 patent, and Leviton will be substantially and irreparably harmed as a result thereof, unless Defendants' infringement is enjoined by this Court.

#### **FOURTH CAUSE OF ACTION**

#### **(Trade Secret Misappropriation Against General Protecht Under Georgia Code § 10-1-761, *et seq.*)**

75. Leviton adopts and incorporates by reference the allegations of paragraphs 1 through 74 above as if fully set forth herein.

76. Leviton is the owner of trade secrets, including, but not limited to, the proprietary technical and business strategy described above.

77. Leviton's trade secrets constitute compilations of information that derive economic value, actual and potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from their disclosure or use.

78. Leviton's trade secrets have significant value to Leviton, resulting from significant investment of time and resources by Leviton.

79. Leviton has made, and continues to make, efforts that are reasonable under the circumstances to maintain the secrecy of its trade secrets, including, but not limited to, the restriction of this information to employees on a need-to-know basis, and the enforcement of confidentiality and non-disclosure agreements and provisions.

80. Leviton is informed and believes and on that basis alleges that General Protecht acquired Leviton's trade secrets by improper means, including, but not limited to, taking these trade secrets in breach of confidentiality obligations owed to Leviton.

81. Leviton is informed and believes and on that basis alleges that General Protecht induced Leviton's Customer Employee to improperly disclose Leviton's trade secrets to General Protecht and that General Protecht has used those improperly obtained trade secrets without the express or implied consent of Leviton, resulting in harm to Leviton, including, but not limited to, loss of customers and sales.

1           82.     Leviton is informed and believes and on that basis alleges that at the time of the  
 2 improper disclosure and/or use, General Protecht knew or had reason to know that Leviton's  
 3 Customer Employee's disclosure was improper and that General Protecht had acquired the trade  
 4 secrets through improper means, including through derogation of Leviton's Customer Employee's  
 5 confidentiality obligations.

6           83.     As a natural and proximate result of General Protecht's misappropriation, Leviton  
 7 has been deprived of the profits it would have obtained from sales that it would have made to  
 8 customers but for General Protecht's misappropriation.

9           84.     The ongoing harm to Leviton from General Protecht's misappropriation and use of  
 10 its proprietary information is irreparable: once revealed, these trade secrets cannot regain their  
 11 secrecy. Still more harm will occur to Leviton if General Protecht is allowed to make further use  
 12 of Leviton's proprietary technical and business strategy.

13           85.     As a natural and proximate result of General Protecht's misappropriation, General  
 14 Protecht has been and will continue to be unjustly enriched, and Leviton has been and will  
 15 continue to suffer damages.

16           86.     General Protecht's misappropriation was willful and malicious. Leviton is therefore  
 17 entitled to exemplary damages against General Protecht under Georgia Code § 10-1-763 and its  
 18 reasonable attorneys' fees under Georgia Code § 10-1-764.

### 19           **PRAYER FOR RELIEF**

20           WHEREFORE, Plaintiff Leviton prays for relief as follows:

21           a.     For a judgment declaring that Defendants have each directly, indirectly,  
 22 contributorily and/or by inducement, infringed U.S. Patent No. 7,463,124;

23           b.     For a judgment declaring that those Defendants against who the patent has been  
 24 asserted have each directly, indirectly, contributorily and/or by inducement, infringed U.S. Patent  
 25 No. 7,737,809;

26           c.     For a judgment declaring that those Defendants against who the patent has been  
 27 asserted have each directly, indirectly, contributorily and/or by inducement, infringed U.S. Patent  
 28 No. 7,764,151;

1 d. For a permanent injunction enjoining Defendants and their officers, directors,  
 2 agents, servants, employees, attorneys, successors and assigns, and all other persons acting in  
 3 concert or participation with them, from infringing, inducing others to infringe or contributing to  
 4 the infringement of U.S. Patent No. 7,463,124, U.S. Patent No. 7,737,809, and/or U.S. Patent No.  
 5 7,764,151;

6 e. An order directing each Defendant to account for and pay to Leviton all damages  
 7 caused to Leviton by reason of Defendants' patent infringement, pursuant to 35 U.S.C. § 284;

8 e. For a judgment declaring this case exceptional under 35 U.S.C. § 285, and for an  
 9 award of attorneys' fees, costs and expenses;

10 f. For permanent injunctive relief to enjoin General Protecht and its agents, joint  
 11 venturers, and any other person over whom General Protecht had or has control, from disclosing  
 12 or using any of Leviton's confidential, proprietary information or trade secrets, including but not  
 13 limited to Leviton's confidential technical and business strategy (including Leviton's customer  
 14 pricing information), in any way;

15 g. For permanent injunctive relief requiring General Protecht and its agents, joint  
 16 venturers, and any other person over whom General Protecht had or has control, to preserve and  
 17 return to Leviton:

18 i. all confidential, proprietary information or trade secrets, including,  
 19 but not limited to Leviton's confidential technical and business strategy information (including  
 20 Leviton's customer pricing information) acquired from Leviton;

21 ii. all materials (in written, electronic or other form) containing any  
 22 such trade secret, confidential, or materials derived from such information; and

23 iii. all copies of such materials;

24 h. For restitution and disgorgement from General Protecht of monies acquired, costs  
 25 avoided, or any other benefits of any kind acquired by means of the acts alleged above;

26 i. For actual damages, including, but not limited to, lost profits, according to proof at  
 27 trial for General Protecht's acts of misappropriation of trade secrets;

28 j. For exemplary damages;

- k. For pre-judgment and post-judgment interest;
- l. For an award of reasonable attorneys' fees and costs; and
- m. For such other and further relief as the Court deems proper.

Dated: September 3, 2010

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By: \_\_\_\_\_

  
Stefani E. Shanberg

Attorneys for Plaintiff LEVITON  
MANUFACTURING CO., INC.



**DEMAND FOR JURY TRIAL**

Pursuant to Federal Rule of Civil Procedure 38 and Civil Local Rule 3-6(a), Plaintiff hereby demands a jury trial of all issues triable by a jury.

Dated: September 3, 2010

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By: \_\_\_\_\_

  
Stefani E. Shanberg

Attorneys for Plaintiff LEVITON  
MANUFACTURING CO., INC.